

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EU098493421US, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: April 15, 2002

Signature: *Susan Hunter*  
(SUSAN HUNTER)

Docket No.: HO-P02080US1  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Seiichi P. Matsuda, et al.

Customer No. 26271  
(10025547)

Application No.: 10/041,018

Group Art Unit: 1642

Filed: January 7, 2002

Examiner: Not Yet Assigned

For: DITERPENE-PRODUCING UNICELLULAR  
ORGANISM

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Box Missing Parts**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) – Filing Date Granted mailed February 13, 2002, Applicants respectfully submit:

1. A Declaration executed by inventors Seiichi P. T. Matsuda and Elizabeth A. Hart;
2. A Power of Attorney executed by the assignee, Rice University;
3. An Assignment executed by the inventors Seiichi P. T. Matsuda and Elizabeth A. Hart;
4. Recordation Form Cover Sheet;
5. Fee Transmittal
6. A First Preliminary Amendment;



7. Transmittal of initial sequence listing;
8. Initial paper copy of sequence listing;
9. Initial computer readable form (CD) copy of sequence listing; and
10. Return postcard

Please charge our Deposit Account No. 06-2375 in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e). The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 06-2375, under Order No. 10025547. A duplicate copy of this paper is enclosed.

Dated: April 15, 2002

Respectfully submitted,

By Elizabeth A. Hart

Elizabeth A. Hart

Registration No.: 50,931

Registered Patent Agent

FULBRIGHT & JAWORSKI L.L.P.

1301 McKinney, Suite 5100

Houston, Texas 77010-3095

(713) 651-5698

(713) 651-5246 (Fax)

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*Susan Hunter*  
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Docket No.: HO-P02080US1  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Seiichi P. Matsuda, et al.

Customer No. 26271  
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Application No.: 10/041,018

Group Art Unit: 1642

Filed: January 7, 2002

Examiner: Not Yet Assigned

For: DITERPENE-PRODUCING UNICELLULAR  
ORGANISM

**TRANSMITTAL OF INITIAL SEQUENCE LISTING**

**Box Sequence**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This is in response to the Notice to File Missing Parts dated February 13, 2002. Applicants are submitting their response herewith within the two-month response period set to expire on April 13, 2002.

Enclosed are the following:

- Initial paper copy of sequence listing;
- Initial computer readable form (CD) copy of sequence listing.

Applicants respectfully request the entry of the present statement in regard to the enclosed sequence listing in the above-referenced application.

Applicants state the information recorded in the computer readable form copy of the sequence listing is identical to the paper copy of the sequence listing.

Applicants also state that the submission does not include new matter.

Application No.: 10/041,018

Docket No.: HO-P02080US1

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. 10025547 from which the undersigned is authorized to draw.

Dated: April 15, 2002

Respectfully submitted,

By   
Elizabeth A. Hart

Registration No.: 50,931  
Registered Patent Agent  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5698  
(713) 651-5246 (Fax)



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/041,018	01/07/2002	Seiichi P.T. Matsuda	HO-P02080US1

26271  
FULBRIGHT & JAWORSKI, LLP  
1301 MCKINNEY  
SUITE 5100  
HOUSTON, TX 77010-3095

Received
FEB 20 2002
Docket: P02080US1
Client: Rice Univ.
Attorney: MLS

CONFIRMATION NO. 2605

## FORMALITIES LETTER



\*OC000000007467132\*

Date Mailed: 02/13/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

04/19/2002 SDENB081 00000033 062375 10041018

01 FC:205 65.00 CH

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 105.00

## Complete if Known

Application Number 10/041,018  
Filing Date January 7, 2002  
First Named Inventor Seiichi P. Matsuda  
Examiner Name Not Yet Assigned  
Group Art Unit 1642  
Attorney Docket No. HO-P02080US1

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

06-2375  
order 10025547

Deposit Account Name

Fulbright & Jaworski L.L.P.

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	** =	x	=
Multiple Dependent	** =	x	=

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 105.00

### SUBMITTED BY

Name (Print/Type) Elizabeth A. Hart

Registration No. 50,931

### Complete (if applicable)

Telephone (713) 651-5698

Signature

Elizabeth A. Hart

Date

April 15, 2002

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